

Application No. : 10/635,836
Filed : August 5, 2003

REMARKS

Claims 1-3 were pending in the application. By this paper, Applicant has amended Claims 1-3, and added new Claims 4-34. Accordingly, Claims 1-34 are presented for examination herein.

Applicant respectfully notes that the application as originally filed on August 5, 2003 (and received by the U.S. Patent and Trademark Office) included two (2) pages of claims containing Claims 1-3 (versus Claims 1-2 cited by the Examiner). Copies of these original pages as filed are included herewith for reference. The Applicant's return post card (a copy of which is also included herewith) is cited as proof of receipt by the USPTO of these two pages of claims (including Claims 1-3).

Accordingly, Claims 2 and 3 are amended herein relative to their original form as filed.

Power of Attorney

Applicant includes herewith a duly executed Power of Attorney compliant with 37 CFR §1.32 authorizing the undersigned to prosecute the present application.

§112 Rejections

Claims 1-2 stand rejected under Section 112, second paragraph, as being indefinite. By this paper, Applicant has amended the term "*senior border*" to read "*senior border node*" in Claims 1 and 3. No new matter has been added.

Claims 1-3 have further been amended herein to address the Examiner's confusion in reference to the terms "*last*", "*marked*", and "*said at least one port*" (see Par. 2 of the Office Action). Applicant submits that these claims are now completely clear and unambiguous. No new matter has been added.

See also the remarks above regarding the ostensibly "incomplete" Claim 2.

Applicant accordingly submits that all Section 112 rejections have been overcome.

Double Patenting Rejections

Claims 1 & 2 – Per pages 2-3 of the Office Action, Claims 1 & 2 stand provisionally rejected on the ground of nonstatutory obviousness-type double patenting over co-pending

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Claims 1 – 2 of U.S. Application Serial No. 10/635,749, and also Claim 1 of U.S. Application Serial No. 10/635,593. Applicant submits herewith a properly executed terminal disclaimer with respect the above-referenced application(s). Accordingly, Applicant submits that the Examiner's double-patenting rejections have been overcome, and Claims 1-2 are in condition for allowance.

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New Claims

Claims 4 – 34 – By this paper, Applicant has added new Claims 4 – 34, relating generally to the subject matter of existing Claims 1-3. Support for these new Claims can be found at, *inter alia*, paragraph [0080] through paragraph [0086] of Applicant's specification as
10 filed, as well as originally filed Claims 1 – 3. Applicant submits that the aforementioned new Claims 4 – 34 therefore add no new matter, and also that these Claims are both novel and non-obvious over the prior art.

Other Remarks

15 Applicant hereby specifically reserves all rights of appeal (including those under the Pre-Appeal Pilot Program), as well as the right to prosecute claims of different scope in another continuation or divisional application.

Applicant notes that any claim cancellations or additions made herein are made solely for the purposes of more clearly and particularly describing and claiming the invention, and not for
20 purposes of overcoming art or for patentability. The Examiner should infer no (i) adoption of a position with respect to patentability, (ii) change in the Applicant's position with respect to any claim or subject matter of the invention, or (iii) acquiescence in any way to any position taken by the Examiner, based on such cancellations or additions.

Furthermore, any remarks made with respect to a given claim or claims are limited solely
25 to such claim or claims.

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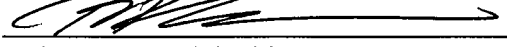
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If the Examiner has any questions or comments which may be resolved over the telephone, he is requested to call the undersigned at (858) 675-1670.

Respectfully submitted,

GAZDZINSKI & ASSOCIATES

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